IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 16269 of 2004**

Between:

Smt.G.Venkatalakshmamma, w/o Ramakrishna Reddy,
Mittameedapalli Village, Markapur Mandal, Prakasam District.

**..... PETITIONER**

AND

1 The Revenue Divisional Officer, Markapur, Prakasam district.
2 The Mandal Revenue Officer, Markapur Mandal, Prakasam District

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the first respondent in issuing proceedings No.RCH 1262/2004, dated 20-7-2004, as being arbitrary, illegal and unconstitutional and in gross violation of principles of natural justice and consequently set aside the same.

**Counsel for the Petitioner : MR.G.NAGARAJU**

**Counsel for the Respondents : GP FOR CIVIL SUPPLIES**

**The Court made the following :**

**THE HON'BLE MS. JUSTICE G.ROHINI**

**WRIT PETITION NO.16269 OF 2004**

**ORAL ORDER :**

The petitioner is the authorized dealer in respect of the fair price shop of Mittameedapalli village, Markapur Mandal, Prakasam District. Her authorization has been suspended by the 1st respondent – Revenue Divisional Officer, Markapur by proceedings dated 20-07-2004 pending enquiry into the alleged irregularities in distribution of the essential commodities, which is under challenge in this writ petition.

Against the impugned order, dated 20-07-2004, an alternative remedy is available under the statute by way of appeal. Admittedly, the petitioner has already preferred

an appeal which is pending before the Joint Collector, Ongole, Prakasam District. In the circumstances, I am not inclined to express any opinion with regard to the correctness of the allegations made against the petitioner or the validity of impugned order of suspension. However, keeping in view the plea of the petitioner that the Joint Collector, Ongole, Prakasam District has failed to consider her appeal and no orders have been passed even on her application for stay so far, I deem it appropriate to dispose of the writ petition with a direction to the Joint Collector, Ongole, Prakasam District to dispose of the appeal pending on his file against the order of the Revenue Divisional Officer, Markapur, dt. 20-07-2004 and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of two weeks from the date of receipt of this order.

Writ petition is accordingly disposed of. No costs.

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13th September, 2004.

Gbs

Note:- Office is directed to communicate

a copy of this order to the Joint Collector,

Ongole, Prakasam District.

(B/O)

gbs

To

1 The Revenue Divisional Officer, Markapur, Prakasam district.
2 The Mandal Revenue Officer, Markapur Mandal, Prakasam District

3.2CCs to G.P. for Civil Supplies, High Court of AP Bldgs, Hyderabad (OUT).

4.2CD copies

5. The Joint Collector, Ongole, Prakasam District.